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**STATE OF IOWA**

**Senate Journal**

**TUESDAY, FEBRUARY 19, 2019**

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# JOURNAL OF THE SENATE

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THIRTY-SEVENTH CALENDAR DAY  
TWENTY-SECOND SESSION DAY

Senate Chamber  
Des Moines, Iowa, Tuesday, February 19, 2019

The Senate met in regular session at 9:00 a.m., President Schneider presiding.

Prayer was offered by The Most Reverend Bishop Zinkula of the Catholic Diocese of Davenport. He was the guest of Senators Lofgren and Lykam.

## PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Senate Page Ben Theuma.

The Journal of Monday, February 18, 2019, was approved.

## ADJOURNMENT

On motion of Senator Whitver, the Senate adjourned at 9:06 a.m. until 9:00 a.m., Wednesday, February 20, 2019.

## APPENDIX

### COMMUNICATIONS RECEIVED

The following communications were received in the office of the Secretary of the Senate and placed on file in the Legislative Services Agency:

#### DEPARTMENT OF WORKFORCE DEVELOPMENT

Judicial Review Report, pursuant to Iowa Code section 625.29. Report received on February 19, 2019.

New Career Vocational Training and Education Program Report, pursuant to 2017 Iowa Acts, [HF 518](#), section 18(2)(f). Report received on February 19, 2019.

## CERTIFICATE OF RECOGNITION

The Secretary of the Senate issued the following certificate of recognition:

Kevin Dill, Waterloo—For continuing the mission by helping veterans in need.  
Senator Dotzler.

## REPORTS OF COMMITTEE MEETINGS

### COMMERCE

**Convened:** Tuesday, February 19, 2019, 1:05 p.m.

**Members Present:** Chapman, Chair; Koelker, Vice Chair; Lykam, Ranking Member; Bisignano, Bolkcom, Breitbach, Brown, Dawson, Feenstra, Johnson, Mathis, Nunn, Petersen, Quirnbach, Sinclair, and R. Smith.

**Members Absent:** Miller-Meeks (excused).

**Committee Business:** [SSB 1110](#) was removed from bills to be discussed. [SSB 1085](#), as amended, passed with a voice vote. [SSB 1044](#), as amended, passed with a voice vote. [SSB 1096](#) passed with a voice vote. [SSB 1083](#) passed with a voice vote. [SSB 1156](#) passed with a voice vote. [SSB 1151](#), as amended, passed with a record role call vote.

**Adjourned:** 1:55 p.m.

### STATE GOVERNMENT

**Convened:** Tuesday, February 19, 2019, 3:10 p.m.

**Members Present:** R. Smith, Chair; Johnson, Vice Chair; Bisignano, Ranking Member; Celsi, Chapman, Cournoyer, Dawson, Feenstra, Jochum, Lykam, Schultz, T. Taylor, Whiting, and Zaun.

**Members Absent:** Miller-Meeks (excused).

**Committee Business:** [SF 53](#), [SSB 1115](#), [SSB 1118](#), and [SF 67](#).

**Adjourned:** 3:45 p.m.

### APPROPRIATIONS SUBCOMMITTEE ON AGRICULTURE AND NATURAL RESOURCES

**Convened:** Tuesday, February 19, 2019, 10:05 a.m.

**Members Present:** Shipley, Chair; Mathis, Ranking Member; Kinney, and Sweeney.

**Members Absent:** Rozenboom, Vice Chair (excused).

**Committee Business:** Organizational meeting.

**Adjourned:** 10:55 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON EDUCATION**

**Convened:** Tuesday, February 19, 2019, 10:05 a.m.

**Members Present:** Kraayenbrink, Chair; Sinclair, Vice Chair; Wahls, Ranking Member; Koelker, and Quirmbach.

**Members Absent:** None.

**Committee Business:** IJAG Presentation Iowa Department for the Blind.

**Adjourned:** 10:55 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON HEALTH AND HUMAN SERVICES**

**Convened:** Tuesday, February 19, 2019, 10:15 a.m.

**Members Present:** Costello, Chair; Edler, Vice Chair; Ragan, Ranking Member; and Bolkcom.

**Members Absent:** Miller-Meeke (excused).

**Committee Business:** Presentation on Iowa Medicaid.

**Adjourned:** 11:05 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON JUSTICE SYSTEM**

**Convened:** Tuesday, February 19, 2019, 10:05 a.m.

**Members Present:** Garrett, Chair; Nunn, Vice Chair; Hogg, Ranking Member; Carlin, and T. Taylor.

**Members Absent:** None.

**Committee Business:** Presentations by Division Administrator Steve Michael, Division of Criminal Juvenile Justice Planning, and by Director Joyce Flinn, Department of Homeland Security and Emergency Management.

**Adjourned:** 11:00 a.m.

**APPROPRIATIONS SUBCOMMITTEE ON TRANSPORTATION, INFRASTRUCTURE, AND CAPITALS**

**Convened:** Tuesday, February 19, 2019, 10:05 a.m.

**Members Present:** Johnson, Chair; Lykam, Ranking Member; Boulton, and Dawson.

**Members Absent:** R. Smith, Vice Chair (excused).

**Committee Business:** Presentation by Chief Information Officer.

**Adjourned:** 10:30 a.m.

## INTRODUCTION OF RESOLUTION

[Senate Resolution 6](#), by Whiting, a resolution for congratulating Seth Rollins on his recent Royal Rumble victory and acknowledging his upcoming match for the World Wrestling Entertainment, Inc. (WWE) Universal Championship against Brock Lesnar at WrestleMania 35.

Read first time under Rule 28 and referred to committee on **Rules and Administration**.

## INTRODUCTION OF BILLS

[Senate File 295](#), by Behn, a bill for an act relating to motor vehicles that traverse certain railroad grade crossings against a gate or signal, and providing penalties.

Read first time under Rule 28 and referred to committee on **Transportation**.

[Senate File 296](#), by Behn, Garrett, Greene, Chapman, Guth, Costello, Edler, Shipley, Zaun, Kapucian, Schultz, Segebart, Cournoyer, Johnson, Zumbach, Sweeney, Rozenboom, Carlin, Whiting, and Feenstra, a bill for an act creating a capital murder offense by establishing the penalty of death for murder in the first degree offenses involving kidnapping and sexual abuse offenses against the same victim who is a minor, and including effective date and applicability provisions.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 297](#), by Behn, a bill for an act relating to the individual income tax by creating a tax credit for community college students pursuing a credential leading to a high-demand occupation and including applicability provisions.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 298](#), by Lofgren, a bill for an act relating to the burden of proof in certain judicial proceedings involving school boards and rules adopted by the department of education.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 299](#), by Shipley, a bill for an act providing for the regulation of certain food products by using the term meat.

Read first time under Rule 28 and referred to committee on **Agriculture**.

[Senate File 300](#), by J. Smith, a bill for an act related to allowable annual salaries for deputy county auditors in charge of elections administration.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 301](#), by J. Smith and Carlin, a bill for an act authorizing city utilities to provide a reduced rate to certain persons based on age.

Read first time under Rule 28 and referred to committee on **Local Government**.

[Senate File 302](#), by committee on Transportation, a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 303](#), by committee on Transportation, a bill for an act relating to the replacement of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 304](#), by committee on Labor and Business Relations, a bill for an act relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 305](#), by committee on Labor and Business Relations, a bill for an act relating to eligibility for the supplemental nutrition assistance program and cooperation regarding a child support order.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 306](#), by committee on Ways and Means, a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

[Senate File 307](#), by committee on Ways and Means, a bill for an act relating to the repeal of the state inheritance tax and the state qualified use inheritance tax.

Read first time under Rule 28 and **placed on Ways and Means calendar**.

[Senate File 308](#), by Zaun, a bill for an act relating to the exclusion of retirement income from the computation of the individual income tax including providing an exclusion for the federal civil service retirement system, and phasing in an exclusion of other retirement income, and including retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 309](#), by T. Taylor, a bill for an act relating to unemployment compensation benefits and department-approved training.

Read first time under Rule 28 and referred to committee on **Labor and Business Relations**.

[Senate File 310](#), by Wahls, a bill for an act providing limited immunity from certain criminal offenses and prohibiting certain disciplinary sanctions for persons under twenty-one years of age who report, seek, or require emergency assistance for alcohol overdoses or protection from certain crimes, and modifying penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 311](#), by Wahls, a bill for an act providing for access to feminine hygiene products in public school restrooms.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 312](#), by Wahls, a bill for an act providing for the development of a strategic plan regarding renewable energy production in the state.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 313](#), by Dawson, a bill for an act relating to evidence of title by state banks for certain loans.

Read first time under Rule 28 and referred to committee on **Commerce**.

[Senate File 314](#), by Brown, a bill for an act establishing a shortline railroad restoration tax credit, and including effective date and retroactive applicability provisions.

Read first time under Rule 28 and referred to committee on **Ways and Means**.

[Senate File 315](#), by Chapman, a bill for an act establishing the criminal offense of unlawful presence in the state, and providing penalties.

Read first time under Rule 28 and referred to committee on **Judiciary**.

[Senate File 316](#), by committee on Education, a bill for an act requesting the establishment of a special education interim study committee.

Read first time under Rule 28 and **placed on calendar**.

[Senate File 317](#), by Quirnbach, R. Taylor, Dotzler, Wahls, J. Smith, Celsi, Jochum, Mathis, Ragan, Petersen, Bolkcom, and Boulton, a bill for an act relating to the state preschool program by establishing a preschool expansion incentive, authorizing state aid for the incentive, and addressing program costs.

Read first time under Rule 28 and referred to committee on **Education**.

[Senate File 318](#), by Quirnbach, R. Taylor, Dotzler, Wahls, J. Smith, Celsi, Jochum, Mathis, Petersen, Bolkcom, and Boulton, a bill for an act establishing the office of student loan ombudsman within the college student aid commission.

Read first time under Rule 28 and referred to committee on **Education**.

#### STUDY BILLS RECEIVED

##### [SSB 1179](#)      **Transportation**

Relating to distance requirements for electronically coordinated motor vehicles following in a sequence.

##### [SSB 1180](#)      **Transportation**

Relating to towable recreational vehicles, making penalties applicable, and including applicability provisions.

##### [SSB 1181](#)      **Agriculture**

Providing for a beginning farmer tax credit program, providing for fees, and including effective date and retroactive applicability provisions.

**SSB 1182      Agriculture**

Relating to the powers and duties of the department of agriculture and land stewardship, by changing the name of the weather bureau, modifying reporting requirements regarding agricultural liming material, modifying provisions applicable to demonstration projects involving alternative fuels, transferring certain Code sections, providing for the use of certain appropriated moneys for surface water quality, and eliminating certain watershed demonstration pilot projects.

**SUBCOMMITTEE ASSIGNMENTS****Senate Joint Resolution 6**

(Reassigned)

STATE GOVERNMENT: Schultz, Chair; Lykam and Whiting

**Senate Joint Resolution 13**

STATE GOVERNMENT: R. Smith, Chair; Celsi and Cournoyer

**Senate Joint Resolution 15**

STATE GOVERNMENT: Schultz, Chair; Jochum and Whiting

**Senate Joint Resolution 16**

WAYS AND MEANS: Carlin, Chair; Dotzler and Sweeney

**Senate File 35**

(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Chapman and Lykam

**Senate File 56**

(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Cournoyer and Lykam

**Senate File 76**

WAYS AND MEANS: Feenstra, Chair; R. Smith and Wahls

**Senate File 82**

LABOR AND BUSINESS RELATIONS: Schultz, Chair; Bisignano and Carlin

[Senate File 95](#)

(Reassigned)

STATE GOVERNMENT: Feenstra, Chair; Chapman and Lykam

[Senate File 103](#)

(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dawson and J. Smith

[Senate File 128](#)

(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Lykam and Schultz

[Senate File 131](#)

(Reassigned)

WAYS AND MEANS: Dawson, Chair; Carlin and J. Smith

[Senate File 133](#)

(Reassigned)

WAYS AND MEANS: Behn, Chair; Dawson and Jochum

[Senate File 134](#)

(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Lykam and Schultz

[Senate File 145](#)

(Reassigned)

STATE GOVERNMENT: Whiting, Chair; Chapman and Lykam

[Senate File 154](#)

(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dotzler and R. Smith

[Senate File 162](#)

(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Chapman and Lykam

[Senate File 184](#)

(Reassigned)

WAYS AND MEANS: Brown, Chair; Chapman and Wahls

[Senate File 187](#)

(Reassigned)

WAYS AND MEANS: Behn, Chair; Schultz and Wahls

[Senate File 201](#)

(Reassigned)

STATE GOVERNMENT: R. Smith, Chair; Lykam and Miller-Meeks

[Senate File 257](#)

(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Brown and J. Smith

[Senate File 260](#)

STATE GOVERNMENT: R. Smith, Chair; Bisignano and Chapman

[Senate File 271](#)

WAYS AND MEANS: Feenstra, Chair; Edler and Wahls

[Senate File 276](#)

LABOR AND BUSINESS RELATIONS: Brown, Chair; Carlin and T. Taylor

[Senate File 277](#)

STATE GOVERNMENT: Cournoyer, Chair; Bisignano and R. Smith

[Senate File 284](#)

EDUCATION: Lofgren, Chair; Cournoyer and Ragan

[Senate File 286](#)

TRANSPORTATION: Zumbach, Chair; Kinney and Shipley

[Senate File 287](#)

EDUCATION: Kraayenbrink, Chair; Lofgren and J. Smith

[Senate File 288](#)

JUDICIARY: Chapman, Chair; Schultz and R. Taylor

[Senate File 293](#)

WAYS AND MEANS: Sweeney, Chair; Behn and J. Smith

[SSB 1039](#)  
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Bolkcom and R. Smith

[SSB 1102](#)  
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dotzler and R. Smith

[SSB 1104](#)  
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Dawson and Jochum

[SSB 1113](#)  
(Reassigned)

WAYS AND MEANS: Feenstra, Chair; Behn and Quirmbach

[SSB 1179](#)

TRANSPORTATION: Brown, Chair; Breitbach and T. Taylor

[SSB 1180](#)

TRANSPORTATION: Kapucian, Chair; Jochum and Shipley

[SSB 1181](#)

AGRICULTURE: Brown, Chair; Wahls and Zumbach

[SSB 1182](#)

AGRICULTURE: Kapucian, Chair; Ragan and Sweeney

## FINAL COMMITTEE REPORTS OF BILL ACTION

### EDUCATION

**Bill Title:** [\\*SENATE FILE 316](#) (formerly [SF 206](#)), a bill for an act requesting the establishment of a special education interim study committee.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 15: Sinclair, Cournoyer, Quirmbach, Behn, Celsi, Edler, Johnson, Kraayenbrink, Lofgren, Ragan, Rozenboom, J. Smith, Sweeney, Wahls, and Zaun. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Education Committee on [Senate File 316](#), and they were attached to the committee report.

#### LABOR AND BUSINESS RELATIONS

**Bill Title:** [SENATE FILE 304 \(SSB 1133\)](#), a bill for an act relating to licensing sanctions against individuals who default or are delinquent on student loan debt or on a related service obligation.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: Schultz, Whiting, T. Taylor, Bisignano, Brown, Carlin, Dotzler, Guth, Koelker, Nunn, R. Taylor. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** [SENATE FILE 305 \(SSB 1109\)](#), a bill for an act relating to eligibility for the supplemental nutrition assistance program and cooperation regarding a child support order.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 7: Schultz, Whiting, Brown, Carlin, Guth, Koelker, and Nunn. Nays, 4: T. Taylor, Bisignano, Dotzler, and R. Taylor. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### TRANSPORTATION

**Bill Title:** [SENATE FILE 302 \(SSB 1128\)](#), a bill for an act relating to motor vehicles operated by an automated driving system, and making penalties applicable.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Jochum, Kinney, Koelker, Lykam, Shipley, J. Smith, Whiting, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** \*[SENATE FILE 303](#) (formerly [SF 62](#)), a bill for an act relating to the replacement of a person's driver's license or nonoperator's identification card on the person's twenty-first birthday anniversary.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 13: Kapucian, Brown, T. Taylor, Breitbach, Cournoyer, Jochum, Kinney, Koelker, Lykam, Shipley, J. Smith, Whiting, and Zumbach. Nays, none. Absent, none.

**Fiscal Note:** REQUIRED UNDER JOINT RULE 17.

\*Pursuant to Rule 40, the Legislative Services Agency reported nonsubstantive changes to the members of the Transportation Committee on [Senate File 303](#), and they were attached to the committee report.

#### WAYS AND MEANS

**Bill Title:** [SENATE FILE 306](#) (formerly [SF 132](#)), a bill for an act establishing a lake Manawa state park user fee pilot program and providing for a future repeal.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 17: Feenstra, Dawson, Jochum, Behn, Bolkcom, Brown, Carlin, Chapman, Dotzler, Edler, Nunn, Quirmbach, Schultz, J. Smith, R. Smith, Sweeney, and Wahls. Nays, none. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### ALSO:

**Bill Title:** [SENATE FILE 307](#) (formerly [SF 1](#)), a bill for an act relating to the repeal of the state inheritance tax and the state qualified use inheritance tax.

**Recommendation:** APPROVED COMMITTEE BILL.

**Final Vote:** Yeas, 11: Feenstra, Dawson, Behn, Brown, Carlin, Chapman, Edler, Nunn, Schultz, R. Smith, and Sweeney. Nays, 6: Jochum, Bolkcom, Dotzler, Quirmbach, J. Smith, and Wahls. Absent, none.

**Fiscal Note:** NOT REQUIRED UNDER JOINT RULE 17.

#### AMENDMENTS FILED

<a href="#">S-3006</a>	<a href="#">S.F. 265</a>	Dan Zumbach
<a href="#">S-3007</a>	<a href="#">S.F. 86</a>	Waylon Brown